

NOTICE OF MEETING



SUSTAINABILITY AND EMISSIONS REDUCTION ADVISORY COMMITTEE MEETING

An Sustainability and Emissions Reduction Advisory Committee Meeting of Byron Shire Council will be held as follows:

Venue	Conference Room, Station Street, Mullumbimby
Date	Thursday, 28 June 2018
Time	11.30am

A handwritten signature in black ink, appearing to be 'S Burt'.

Shannon Burt
Director Sustainable Environment and Economy

CONFLICT OF INTERESTS

What is a “Conflict of Interests” - A conflict of interests can be of two types:

Pecuniary - an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

Non-pecuniary – a private or personal interest that a Council official has that does not amount to a pecuniary interest as defined in the Local Government Act (eg. A friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature).

Remoteness – a person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to a matter or if the interest is of a kind specified in Section 448 of the Local Government Act.

Who has a Pecuniary Interest? - a person has a pecuniary interest in a matter if the pecuniary interest is the interest of the person, or another person with whom the person is associated (see below).

Relatives, Partners - a person is taken to have a pecuniary interest in a matter if:

- The person’s spouse or de facto partner or a relative of the person has a pecuniary interest in the matter, or
- The person, or a nominee, partners or employer of the person, is a member of a company or other body that has a pecuniary interest in the matter.

N.B. “Relative”, in relation to a person means any of the following:

(a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descends or adopted child of the person or of the person’s spouse;

(b) the spouse or de facto partners of the person or of a person referred to in paragraph (a)

No Interest in the Matter - however, a person is not taken to have a pecuniary interest in a matter:

- If the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative or company or other body, or
- Just because the person is a member of, or is employed by, the Council.
- Just because the person is a member of, or a delegate of the Council to, a company or other body that has a pecuniary interest in the matter provided that the person has no beneficial interest in any shares of the company or body.

Disclosure and participation in meetings

- A Councillor or a member of a Council Committee who has a pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or Committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
- The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
 - (a) at any time during which the matter is being considered or discussed by the Council or Committee, or
 - (b) at any time during which the Council or Committee is voting on any question in relation to the matter.

No Knowledge - a person does not breach this Clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

Participation in Meetings Despite Pecuniary Interest (S 452 Act)

A Councillor is not prevented from taking part in the consideration or discussion of, or from voting on, any of the matters/questions detailed in Section 452 of the Local Government Act.

Non-pecuniary Interests - Must be disclosed in meetings.

There are a broad range of options available for managing conflicts & the option chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with. Non-pecuniary conflicts of interests must be dealt with in at least one of the following ways:

- It may be appropriate that no action be taken where the potential for conflict is minimal. However, Councillors should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (eg. Participate in discussion but not in decision making or vice-versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (eg. Relinquishing or divesting the personal interest that creates the conflict)
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue as if the provisions in S451 of the Local Government Act apply (particularly if you have a significant non-pecuniary interest)

RECORDING OF VOTING ON PLANNING MATTERS

Clause 375A of the Local Government Act 1993 – Recording of voting on planning matters

- (1) In this section, **planning decision** means a decision made in the exercise of a function of a council under the Environmental Planning and Assessment Act 1979:
 - (a) including a decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but
 - (b) not including the making of an order under Division 2A of Part 6 of that Act.
- (2) The general manager is required to keep a register containing, for each planning decision made at a meeting of the council or a council committee, the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- (3) For the purpose of maintaining the register, a division is required to be called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- (4) Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document, and is to include the information required by the regulations.
- (5) This section extends to a meeting that is closed to the public.

BYRON SHIRE COUNCIL
SUSTAINABILITY AND EMISSIONS REDUCTION ADVISORY COMMITTEE MEETING

BUSINESS OF MEETING

1. APOLOGIES

2. DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

3. ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

- 3.1 Sustainability and Emissions Reduction Advisory Committee Meeting held on 26 April 2018

4. STAFF REPORTS

Sustainable Environment and Economy

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STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 4.1

Key Project Updates

Directorate:

Sustainable Environment and Economy

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Report Author:

Daniel Harper, Sustainability Officer

File No:

I2018/1073

Theme:

Ecology

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Planning Policy and Natural Environment

Summary:

This report provides a short update on the key sustainability and emissions reduction projects, for further discussion.

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RECOMMENDATION:

That the Sustainability and Emissions Reduction Advisory Committee note the report.

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Report**Environmental Upgrade Agreements (EUAs)**

5 Staff provided information to Summerland Credit Union and Southern Cross Credit Union (SCCU) to gauge their interest in providing lending for EUAs. Summerland declined while SCCU were interested. A meeting occurred with SCCU's head of premium banking and OEH who provided detailed information and answered questions as they arose. SCCU has since indicated their interest in providing EUA lending. OEH have advised that Bank Australia will also be offering EUA
10 lending in NSW.

Further information has been requested from OEH on the process and systems required to better understand Council's capacity to implement EUA's. Information is expected to be provided shortly and staff will review this against existing systems and in conjunction with the Local Government
15 Act Part 2A which regulates EUAs to provide a further report at the Committees meeting in August.

Dingos Lane Solar Farm

Staff will provide an update on Solar Farm and relevant projects at the Committee meeting.

20 Power Purchase Agreements (PPA)

Since the Committees last meeting staff have discussed with Tweed Council the prospect of a number of councils entering into a PPA with a large centralised solar farm and also spoke to a Solar company that offers PPAs to get more detailed information.

25 Solar Gardens

Working with COREM and Shoalhaven Council to determine the feasibility of the Solar Gardens project in Byron Shire. A two day workshop run by Institute of Sustainable Futures with all stakeholders was held at which a business plan, financial tool and site feasibility was prepared for
30 a 100kw system.

Solar on Admin Building and/or Carpark

Council will be considering a confidential report on Mullumbimby Administration Building Solar Installation at the 21 June 2018 Meeting. The Committee will be advised of the outcome of this
35 meeting.

Electric Vehicles

NRMA are installing 40 fast chargers throughout NSW and have contacted Council to install one in the Shire. NRMA are currently considering Ewingsdale, Bangalow and Mullumbimby for the charger. NRMA have expressed interest in leasing the Byron Library charger.
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Financial Implications

Nil

45 Statutory and Policy Compliance Implications

Nil

Report No. 4.2 **Update from Community Groups**
Directorate: Sustainable Environment and Economy
Report Author: Daniel Harper, Sustainability Officer
File No: I2018/1074
5 **Theme:** Ecology
 Planning Policy and Natural Environment

Summary:

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Members from Zero Emissions Byron and COREM have been invited to provide an update on projects or initiatives they may be involved in to the Committee.

RECOMMENDATION:

That the Sustainability and Emissions Reduction Advisory Committee note the report.

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Report

5 SERAC representatives for Zero Emissions Byron (ZEB) and Community Owned Renewable Energy Mullumbimby (COREM) have been invited to provide an update on projects or initiatives they wish to share with the Committee.

Financial Implications

10 Nil

Statutory and Policy Compliance Implications

Nil

Report No. 4.3 **Community Emissions Profile and Tool**
Directorate: Sustainable Environment and Economy
Report Author: Daniel Harper, Sustainability Officer
File No: I2018/1075
5 **Theme:** Ecology
 Planning Policy and Natural Environment

Summary:

10 To provide information on the NSW OEH provided program for Community Wide Greenhouse Gas Profile using Global Protocol for Community-Scale (GPC) Greenhouse Gas Emission Inventories.

RECOMMENDATION:

That the Sustainability and Emissions Reduction Advisory Committee note the report.

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Report

Council was successful in their expression of interest to participate in the NSW OEH led project for Community Wide Greenhouse Gas Profile using Global Protocol for Community-Scale (GPC) Greenhouse Gas Emission Inventories. The development of a GPC-compliant profile is a key requirement for Councils who have committed to the Global Covenant of Mayors for Climate & Energy (formally the Compact of Mayors).

Council was selected along with 10 other regional NSW councils to participate, with the project focusing on GPC compliance reporting. Ironbark Consultancy has been engaged by OEH and have developed 32 GPC-compliant profile for Council in Australia, thus providing a level of national and state-wide consistency of emissions profiles. This project will deliver:

- A GPC-compliant Community Greenhouse Gas Emissions Profile Report
- an Activity Data spreadsheet with all the emissions activity data and sources (excel format)
- independent verification by ICLEI Oceania to provide Councils with the confidence of a review by an independent body
- a Community Greenhouse Gas Emissions Profile Tool (with training) that has been tailored specific to the councils in regional NSW. This will enable Council to repeat the process in future years. This information will also be shared with the community and the ongoing reporting may assist in informing progress for the Shire-wide zero-emissions target.

The consultant uses GPC compliant scaling methodologies to determine emissions profile. Information provided to date include LGA electricity consumption, Council waste information, Council Landfill fugitive emissions information and Council wastewater fugitive emissions information.

Financial Implications

Nil

Statutory and Policy Compliance Implications

Nil